



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

September 25, 1991

Honorable Gary Joe Taylor
Leon County Attorney
P.O. Box 429
Centerville, Texas 75833-0429

OR91-442

Dear Mr. Taylor:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 13444.

The Leon County Judge has received a request for information relating to a matter brought before the Central Appraisal District Board. A letter dated August 23, 1991, includes a request for

evidence . . . that the Developer pays [back taxes] . . .
and that the funds are not taken from the Property
Owners Maintenance Fund Account. . . . [and] what
ever audit is needed to get the back taxes assessed and
collected in an expeditious manner.

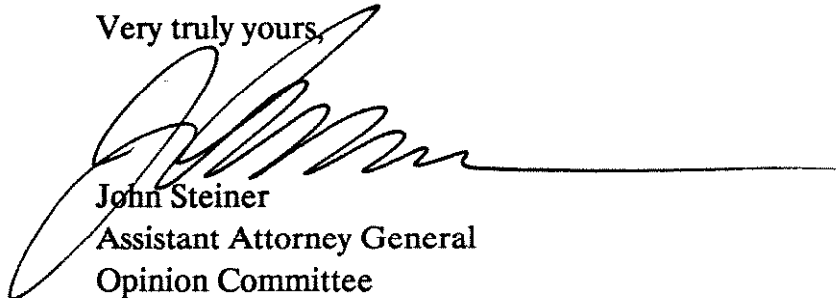
As regards the "evidence" requested, you assert that the request is too vague and nonspecific to determine which records are desired. You have invited the requestor to more specifically identify the records to which he has requested access. When a governmental body is presented with an unspecific request, it should advise the requestor of the type of information available so that he may narrow his request. Open Records Decision No. 561 (1990) at 8-9. You may not, however, deny access because the request is too vague. *See* Open Records Decision No. 151 (1977).

As regards the "audit", you claim that the county does not presently maintain such information and that it is not required to disclose such under the Open Records Act. Open Records Decision No. 362 (1983) held that the Open Records Act does not require a governmental body to make available information which does not exist. *See also* Open Records Decision Nos. 574, 572 (1990). Accordingly,

the "audit" requested is not subject to required disclosure.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-442.

Very truly yours,



John Steiner
Assistant Attorney General
Opinion Committee

JS/GK/lcd

Enclosure: Open Records Decision Nos. 500 (1988); 362 (1983)

Ref.: ID#s 13444, 13492

cc: Mr. W.P. Strube, Jr.
Publisher
Hilltop Lakes Solidarity Movement
P.O. Box 777
Normangee, Texas 77871